

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN W. MARKHAM,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE ARMY, *et al.*,

Defendants.

CASE NO. 3:25-cv-05212-BHS

ORDER TO SHOW CAUSE

The District Court has referred Plaintiff John W. Markham's pending Application to Proceed *In Forma Pauperis* ("IFP") and Proposed Complaint to United States Magistrate Judge Grady J. Leupold pursuant to Amended General Order 05-25. On March 13, 2025, Plaintiff filed a Proposed Complaint and IFP Application, that is, to proceed without paying the filing fee for a civil case. *See* Dkts. 1, 1-1; 4, 4-1.

Standard for Granting Application for IFP. The district court may permit indigent litigants to proceed IFP upon completion of a proper affidavit of indigency. *See* 28 U.S.C. §1915(a). However, the court has broad discretion in denying an application to proceed IFP. *Weller v. Dickson*, 314 F.2d 598 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963).

1 **Plaintiff's Application to Proceed IFP.** Plaintiff states that he is currently employed
2 with a net monthly salary of \$1,500.00. Dkt. 4 at 1. In the past twelve months, Plaintiff has also
3 received \$8,000.00 additional income from rent, interest or dividends. *Id.* Plaintiff has no cash on
4 hand, but \$29,000.00 in a checking account and \$6,000.00 in a savings account. *Id.* at 2. He
5 owns property, including a home with his sister and a vehicle, with a total value of \$190,000.00.
6 *Id.* His monthly expenses amount to \$1,900.00. *Id.*

7 Because it appears that Plaintiff may have funds sufficient to pay the \$405.00 filing fee,
8 he should do so or provide the Court with an explanation of why he cannot.

9 Accordingly, it is hereby **ORDERED** that:

10 • Plaintiff is directed to **SHOW CAUSE** why his IFP Application should not be
11 denied on or before **May 1, 2025**. In the alternative, Plaintiff may pay the \$405.00 filing fee
12 before that date. Failure to show cause or pay the amount shall be deemed a failure to properly
13 prosecute this matter and the Court will recommend **DISMISSAL** of this case.

14 • The Clerk of Court is directed to **RENOTE** Plaintiff's Application to Proceed IFP
15 (Dkt. 4) for consideration on **May 1, 2025**.

16 Dated this 1st day of April, 2025.

17
18 

19 Grady J. Leupold
20 United States Magistrate Judge
21
22
23
24